

REMARKS

In the last Office Action, claims 7-9 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for the reasons noted by the Examiner. Claims 1-3, 8 and 9 were rejected under 35 U.S.C. §102(b) as being anticipated by Iverson (1973) with support from Iverson (2001) and Metal Suppliers Online. Claims 4, 5 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over the same references applied in the anticipatory rejection in view of Jones, Cullimore et al. and Kalmykov et al. Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over the references applied in the anticipatory rejection further in view of Felkins. Claims 10-11 were rejected under 35 U.S.C. §103(a) as being unpatentable over the same references applied in the anticipatory rejection in view of ACE-27 and Anderson.

In accordance with this response, independent claim 1 has been amended to incorporate the subject matter of dependent claim 10, and claim 10 has been canceled. Claim 11 has been amended to depend on claim 1 rather than canceled claim 10. Claims 7-9 have been amended to overcome the indefiniteness rejection.

Applicants respectfully traverse the prior art rejections and submit that the combined teachings of the references would not have led one of ordinary skill in the art

to achieve the claimed method. The two Iverson references and Metal Suppliers Online collectively teach a method of producing a mass culture of a rusticle consortia including providing a growth substrate, placing a sample on the growth substrate, placing the growth substrate with the sample thereon in an aqueous solution, and controlling the environment of the aqueous solution to facilitate growth of the rusticle on the growth substrate. However, none of these references teach growing rusticles in an aqueous solution containing oxygen and a nutrient substrate containing ferric ammonium citrate and inorganic nutrients, as required by amended claim 1. The reference to ACE-27 likewise does not disclose the claimed aqueous solution containing ferric ammonium citrate but rather teaches an artificial seawater composition containing ferric citrate. Since ferric citrate is not ferric ammonium citrate, the combined teachings of the references fail to teach the claimed method and, particularly, the claimed aqueous solution composition.

With respect to claim 11, the additional reference to Anderson discloses an aqueous solution having a pH between 7.5 - 8.5; however, claim 11 requires a pH level within the range of 7.4 - 8.4. Anderson does not disclose or suggest the claimed range.

In light of the foregoing, independent claim 1 together with the claims dependent thereon patentably distinguish over the prior art references. Accordingly, favorable reconsideration and passage of the application to issue are respectfully requested.

Respectfully submitted,

ADAMS & WILKS
Attorneys for Applicants

By: 

Bruce L. Adams
Reg. No. 25,386

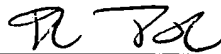
17 Battery Place
Suite 1231
New York, NY 10004
(212) 809-3700

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Name



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Date